*Previous references.*

File No. 235—11

1911-12

Serial Nos. 1 & 2

( S.R )

*Later references.*

27 P

# GENERAL AND REVENUE SECRETARIAT.

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*Serial Nos.* 1–2

**Part B. for** June 12

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SUBJECT.

Adjudication of stamp duty on certain mining leases forwarded by the Secretary to Govt Geological department.

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From the ~~Deputy~~ Commissioner, Bangalore District

No 1410 Dy 10.5.12

Forwards seven leases of mining right received from the Secretary, Geological Dept and solicits instructions as to the proper stamp duty to be levied on each of them.

2. To the Dy. Comm$^{r}$ Bangalore District. No C.9.1 Dy 4.6.12

States that the royalty for each lease may, for purposes of stamp duty be estimated at Rs 20,000 received on each of the leases accordingly. The seven leases received with his letter are also returned

G. R. S. 58

G.R.S. 11] 1911

GENERAL AND REVENUE SECRETARIAT

( S.R. )

NOTES.

File No. 235-11

FILE HEADING.

Adjudication of Stamp Duty on certain Mining leases forwarded by the Secretary to Govt, Geol. Dept.

From

The Deputy Commissioner Bangalore Dt.

410 - No. D 1410. Dated 10.5.12 Received 11.5.12

Diary No. 424 | Enclos. 1 & 7 documents. Spare Copies. | Serial No. 1.

BRIEF ABSTRACT OF LETTER.

Forwards seven leases of mining rights received from the Secretary, Geological Dept, and solicits instructions as to the proper stamp Duty to be levied on each of them

NOTES AND ORDERS.

1 Clause (a) of the first proviso to Section 26 of the Stamp Regulation (as amended by Regulation X of 1908) lays down that "when the lease has been granted by or on behalf of the Govt." the amount of royalty for the purpose

S&T

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NOTES—First Sheet.

GPB—30,000—12-8-11

G. R. S. 12]

General and Revenue Secretariat. | S. R. File No. 235 of 1911

Serial No.

stamp duty has to be estimated 'at such amount or value as the Deputy Comr may, having regard to all the circumstances of the case, have estimated as likely to be payable by way of royalty to the Govt under the lease'.

2. The Geological Secretary, who was requested by the D.C. Bangalore to intimate the probable amount of royalty that is likely to be received under each of the leases in question, states that it is impossible to give even an approximate estimate, that it is by no means certain that any royalty will be paid and that it might be best to consider the blocks leased as being practically purchased for certain sums by the lessees, and adjudicate the stamp duty on these values.

3) The Dy Comr, having apparently not agreeing to adopt this procedure and no data to calculate the amount of royalty likely to be payable, solicits instructions of Govt as to the stamp duty to be levied on the documents and orders.

4) The Deputy Comr has to fix or estimate a certain sum as

D.O. letter No 2269 of 25.5.12 from the Geological Secy to Govt. requesting that the matter may be expedited.

Approved 12/6/12

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat. | GR File No. 235 of 1911-12

Serial No.

As the estimated royalty payable to Govt. The Geological Secretary has been unable to advise him as to what this amount may be and he requests the Deputy Comr to take the "purchase money" [What this is is not quite clear from the papers sent up] as the value for determining the Stamp duty.

5) In the absence of other available data the D.C. may perhaps be authorised to adopt the suggestion of the Geological Secretary. There will be no objection so conform to legal requirements he may be asked to treat the "purchase money" as the "Estimated royalty" for the purposes of Sec 26 of the Stamp Regn

27/5/12

Sec? 6) Endorsed D.O. to the Govt to Govt Secl & thro' the Collector as regds D. No. 1195

27/5/12

D.O. issued Camp No 80 of 27.5.12

27/5/12

NOTE—Contn. sheet.

GPB—20,000—20-1-12

14

No. 2269.

B. 11/2
Where is he
case pending? Please
put up copy of
all orders

26/5

Mysore Geological Department.

Bangalore, 25th May 1912.

A number of leases and agreements relating to Mining Blocks on the Kolar Gold Field were sent to the Deputy Commissioner, Bangalore District, on the 19th April for adjudication of the stamp duty.

2. Messrs. John Taylor & Sons have cabled twice this week asking when the business will be completed and expressing disappointment at the delay. The delay in the stamping and execution of the documents is probably causing the Companies concerned a good deal of difficulty and uneasiness and the Deputy Commissioner informs me that the matter has been referred to Government and is not yet disposed of.

3.

S.R. 285-4

D.O.

Camp. N° 80 & 27.5.12

16

To

D^r. J. Sheela

Asst. Surgeon in the

Political

Dept

Dear Sir

I am in receipt of

Your letter dated the 25th ult

asking me to obtain for

you orders of Govt. in

the matter of this Camp.

~~pape~~ only 10 leviable

on certain building bear

agreements.

2 In your letter no 1937

of 27th April to the Dep^t

Comm^r of Bangalore you

have stated that

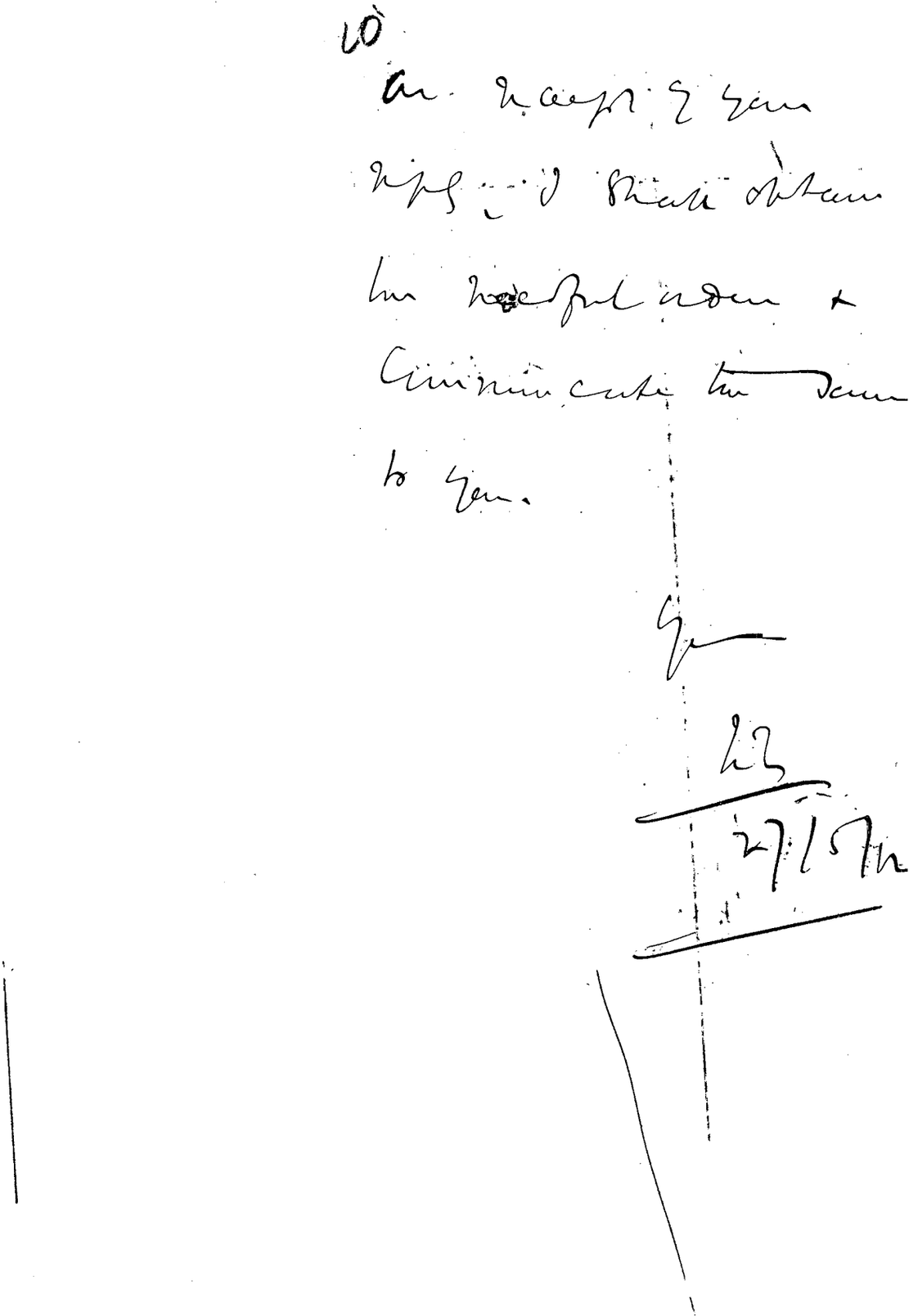
no number of five

~~matters~~ the Governor of

roughly here maybe
recovered in respect of
their leases in question.
and ~~[illegible]~~
what the blocks ought
to be considered as practically
purchased for certain sums
of the lessees companies &
the sinking funds calculated
on their values. I
am not able to understand
what you mean of the
purchase money of the
leases. I should feel
obliged if you explain
this & inform me
~~[illegible]~~
~~[illegible]~~ as what proportion
~~[illegible]~~
the value of each of these
leases [illegible] taken.

SQ285-11.

(7



P. T.O

S.G. 235-11 (8)

L. G. D. 2

# OFFICE NOTES

Page.

File No. of

Subject

(11) The purchase money agreed to be paid to the Gold Fields of Mysore General Exploration Company Ld for the blocks to be made over by them is as follows —

(1) By the Mysore Gold Mining Co. Ld for parts of Kaisen-I-Hind, Victoria & Sinth Blocks — £25,000 in Cash

(2) By the Champion Reef Co. — for parts of Kaisen-I-Hind & Victoria blocks £12,000 in Cash.

(3) By the Coregum Gold Co. of India Ld for parts of Kaisen-I-Hind, Victoria & Neutral blocks — £8,000

(4) By the Nandidroog Co Ld — for parts of Kaisen-I-Hind, Golconda & Neutral blocks — £10,000.

(12) For these blocks the stamp duty might be taken at 1% of the purchase money - just as if the leases were transferred

(13) In addition to the above leases to be granted upon fresh work, the Gold Fields of Mysore has to be granted 3 fresh leases for the remainder of the Victoria, Golconda & Sinth blocks.

(14) For these three which are merely renewals (cancelled leases) the stamp duty might be Rs 15/- each

G. S. Smith
30.5.12

G. R. S. 12 ]
General and Revenue Secretariat.

S.A. File No. 285 of 1911.

(9)

Serial No.

(5) From a personal talk I had with Dr Sneath (State geologist) I understand that the Enclosed licenses are in fact new licenses covering modifications of licenses already issued in respect of the areas covered by them.

(6) With regard to the mineral licenses issued in favour of the Rangeley noted companies I was informed by Dr Sneath that the blocks covered by these leases had been previously leased by "Gold Fields of Rhodesia General Exploration Company of London" that the company transferred their leases to the Rangeley noted companies for a consideration of £ 25,000, £ 12,000, £ 10,000 & £ 8,000 respectively, that as there were some technical & other difficulties in the way of a deed of transfer being executed it was decided & as the easiest & simplest way that the selling company should surrender its lease & the purchasing companies (as noted in the margin) should obtain from the Govt fresh leases in respect of the blocks purchased by them and that in pursuance of the understanding the present leases issued in favour of these companies & the transfers had been effected by -

1 Rhysna Selukwe Company
2 Champion Reefs Compy
3 Rangeley Compys
4 Oberon Compy

NOTE— Contn. sheet.

GPB—50,000—12-8-10

Serial No.

regular deeds for stamp duties recoverable on the deeds of conveyance which have been Rs 3750, 1800, 1500 + 1200 respectively as per art 22 Sch I of the Stamp Regulation. Because in the case the ordinary course of business was not followed and the purchasing companies were as a matter of concession & there given fresh leases, Dr Sreedhi considers that there is no reason why the Govt should forego the stamp duty to which they would have been entitled if the transactions had been effected in the ordinary course between the companies concerned; and he suggests the recovery of duties accordingly as above.

17) With regard to the remaining 3 cases they are not fresh ones as they relate to persons & blocks in respect of which the Govt have already issued leases in favour of the same lessees. It is because portions of the Extents covered by the original leases have been surrendered by the lessees & fresh leases were as their agents issued now for the remaining areas. Thus the leases now issued are in the nature of duplicates of those already issued; and for these Dr Sreedhi considers that a

G. R. S. 12 ]
General and Revenue Secretariat.

S. R. File No. 235 of 1911-12.

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Serial No.

Municipal Stamp duty @ Rs 15/- Such will be sufficient.

18) Under Sec 26 of the Stamp Regulations the stamp duty recoverable on a mining lease is stated to be based on the Royalty which is to be Estimated by the Deputy Commr as such amount or value as he may in the circumstances of the case consider likely to be payable. In the cases now under consideration the Dep.y Commr has no basis as which he can Estimate the amount of Royalty payable by the lessee companies: and the Geological Dept is not in a position to furnish him with any information on the point. In the circumstances the duty should be fixed in the cases now under consideration has to be fixed on some arbitrary basis: and I think that the suggestion made by the Treasurer may be adopted and the duty realised on the leases as the rates proposed by him

1st Councillor & Dewan. 30/5/12.

19) What article authorises the Rs 15 duty suggested? I cannot find it in the Regs?

1/6/12.

NOTE—Contn. sheet.

GPB—50,000—12-8-10

(12

G. R. S. 12]

General and Revenue Secretariat.

S.O. File No. 285 of 191

Serial No.

20) There is no authority in the Stamp Act for recovering Rs 15/- duty. Dr Sneath suggested the amount as there was no definite basis for calculating the duty and as a duty of Rs 15/- was agreed by Govt to be recovered in another case of this kind in Mysore Dist. duty 1/67/12.

21) If a regular transfer had been executed it would have been liable to duty as a conveyance or GR under art. 6. But as it has been arranged to grant leases to transferees, we can demand Stamp fees only on leases.

22) It is out of the question to levy an arbitrary fee of 15 Rs which is not authorised under any provn of the Stamp law. The Dy C= is required to estimate the royalty likely to be due under

NOTE—Contn. sheet.

GBB—20,000—20-1-12

(13

G. R. S. 12]

General and Revenue Secretariat. | S.R. File No. 285 of 1911

Serial No.

the Regulation. If the Geol. Department cannot give him any estimate or data for an estimate, he may adopt an arbitrary estimate; and he would not be doing ~~to~~ anything wrong to assume 20000 Rs (which the Section 26, allows to be assumed as the rent for private transactions) as the annual royalty likely to be due.

7 Dewan 1/6/12

1611
2-6-12

Dewan 1/6/12

Dewan 1/6/12

26)

What was the Amount of Royalty payable on leases under the old Rules? Was it 5%? The Owners

2 In the Blocks specified in the 2nd Memo of Secretary (i.e the leases for the blocks which have changed hands during last July on the payment of Salami) 1 per cent may be levied as suggested by Dewan

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G.R.S. 12 ]
General and Revenue Secretariat.

S.R. File No. 235 of 1911

(11)

Serial No.

It is understood that the ~~leases~~ heathes are within the ~~all the leases~~ Rs 20000 are to be taken as the basis for Calculation as suggested by the 1st Commissioner Vide 2 paras

24) Order issued as directed above. Submitted to 1st Commr for perusal

4/6/12

To, The Deputy Commissioner, ~~Bangalore~~ Bangalore District

No C.91 & camp Mysore, 4th June 1912.

States that the royalty for each lease may, for purposes of stamp duty be estimated at Rs 20,000 per annum & a duty of Rs 200 be recovered on each of the leases accordingly. The seven leases received with his letter are also returned.

Recd 7/6/12

NOTE—Contn. sheet.

GPB—55,000—27-4

II 5

11-5-12

1911/12

From The Dy Commissioner
Bangalore District

To The Secretary to the Govt of Mysore
Genl & Rev: Department

Dated 10th May 1912

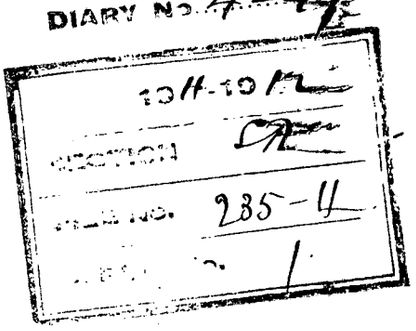
Despatched 11th May 1912

Received

General No.
S. No. 440

Enclosure No. 1 Letter & 7 mining leases.

Forwards 7 leases of mining right, received from the Secretary Geological Dept for adjudication of Stamp duty payable thereon, and solicits instructions as to the proper stamp duty that has to be levied on each of the leases in question




GPB—1,50,000—20-3-11

(2

stamp duty that has to be levied on each of the leases in question.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner.

Enclosure to SR 87235-11

(3)

Letter No.1951 dated 27th April 1912, from the Secretary to Government of Mysore, Geological Department, to the -- Deputy Commissioner, Bangalore District.

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In reply to your letter No.2052 dated 20th April 1912, enquiring about the probable amount that is likely to be payable by way of royalty to Government in the case of the blocks referred to in the margin of your letter, I have the honor to inform you that it is impossible to give even an approximate estimate and that it is by no means certain that any gold will be obtained or royalty paid. In the case of the blocks under reference it might be best to take into consideration the facts that the blocks leased are practically being purchased for certain sums by the lessee companies and the stamp duty might be adjudicated on these values.

---

"C O P Y"

Deputy Commissioner.

Enclosure to 82235-11 (3)

Letter No.1951 dated 27th April 1912, from the Secretary to Government of Mysore, Geological Department, to the -- Deputy Commissioner, Bangalore District.

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In reply to your letter No.2052 dated 20th April 1912, enquiring about the probable amount that is likely to be payable by way of royalty to Government in the case of the blocks referred to in the margin of your letter, I have the honor to inform you that it is impossible to give even an approximate estimate and that it is by no means certain that any gold will be obtained or royalty paid. In the case of the blocks under reference it might be best to take into consideration the facts that the blocks leased are practically being purchased for certain sums by the lessee companies and the stamp duty might be adjudicated on these values.

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"C O P Y"

Deputy Commissioner.

14

No. C. 91 & Camp Mysore
Enc. 7 4th June 1912.

S.R 235-11

To,

The Deputy Commr.

Bangalore District.

Sir,

In reply to your letter No.410 dated 10the May 1912 soliciting instructions in the matter of the stamp duty recoverable on certain mining leases issued by the Government in the Geological Department, I have the honor to state that in the absence of definite information as to the exact amount of royalty that may be recoverable in respect of each lease, the Govt. are of opinion that the royalty for each lease may, for the purpose of stamp duty be estimated at Rs.20,000 per annum and a duty of Rs. 200 recovered on each of the leases accordingly.

2. The seven leases received with your letter are herewith returned.

I have etc.,

(Dastur) 4/6/12

Offg. Secretary to Govt.

(5

Copy

To

The Dep[t] Com-

Bangalore

Sir

— In reply to your letter
No 410 of 10th May 1912
soliciting instructions in
connection with Stamp duty recovered
on certain receipts issued
under the Mysore Stamp Act, I have the honour
to state that in the absence
of definite information as
to the Exact amount of
probable loss owing to recoveries
on account of Each Year, the
Govt. are of opinion that
the proper basis for
the purpose of Stamp duty to Estimate
at Rs 20,000 per annum
the Stamp duty and
a duty of Rs 200/- accordingly

9

on Even ghis bases

accordings

2 The seven bases [illegible] [illegible]

I have [illegible]

or

2

23

4/6/2

(7

1 — Victoria W — 25000
2 — Splendid
3 — South 2d —
4 — Oregonian W
5 — Champion Reef W
6 — N Auriferous W
7 — Olympic W

| Key | For | Cons'n £ |
|---|---|---|
| Olympic W 1 & 2 | Kaiser claim p<br>Victoria p<br>South p | 25000 |
| Champion Reef 4 | Kitchener p<br>Victoria p | 12000 |
| Oregonian 5 & 6 | Kitchener p<br>Victoria p<br>Neutral p | 8000 |
| N Auriferous 3 | Kitchener p<br>Splendid p<br>Neutral p | 10000 |

Cf Olympic are to be granted 3 fresh leases for area of Victoria plus South Block

Mere elements of cancelled leases
Victoria Auriferous Reef

2000 Rs — 100 — 10 Rs

19 × 2
= 38 + 5 Rs) 190 Rs
200 Rs

1/5 of fruit
5 30 Rs 'ents

20,000
30
100,000
200 on